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Doran R. Pace, Patent Attorney

ELECTION UNDER 35 USC §121
Examining Group 1633
Patent Application
Docket No. USF.199TCXZ1
Serial No. 10/567,275

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Fereydoun G. Sajjadi
Art Unit : 1633
Applicants : M. Ian Phillips, Yao Liang Tang
Serial No. : 10/567,275
Filed : May 9, 2007
Conf. No. : 9704
For : Stem Cell Beacon

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

In response to the written Restriction Requirement dated February 9, 2009 in the above-identified patent application, Applicants hereby elect to prosecute the invention of Group III (claims 17-26), without traverse.

Applicants also elect viral vectors as the species of delivery method. Applicants further elect heart as the species of target tissue. Claims 17-26 read on the elected species.

A Preliminary Amendment is being submitted with this Election.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



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Attachment: Preliminary Amendment